

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Stearns County,

Civil No. 06-3348 (RHK/RLE)

Plaintiff,

ORDER

v.

Richard B. Hoeschen,

Defendant.

Based upon the Report and Recommendation of United States Magistrate Judge Raymond L. Erickson, and after an independent review of the files, records and proceedings in the above-entitled matter, it is **ORDERED**:

1. The Report and Recommendation (Doc. No. 6) is **ADOPTED**; and
2. This matter is summarily **REMANDED** to the Minnesota District Court for the Seventh Judicial District, in Stearns County, Minnesota.

Dated: September 25, 2006

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge